

# INTERNATIONAL SEARCH REPORT

International application No

PCT/EP 03/10420

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A23L1/30 A23D7/00 A23D9/007 A23L1/302

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A23L A23D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, MEDLINE, FSTA, CHEM ABS Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 1 180 545 A (ASAHI DENKA KOGYO KK) 20 February 2002 (2002-02-20) paragraphs '0017!-'0019!, '0035!; examples 13, 14	1-4, 6, 7
Y	US 2002/068095 A1 (VAN NORREN KLASKE ET AL) 6 June 2002 (2002-06-06) paragraphs '0018!, '0021!, '0027!, '0028!, '0039!-'0041!	1-4, 6, 7
A	EP 1 155 699 A (LABORATORIOS BIOSINETICA LTDA) 21 November 2001 (2001-11-21) paragraphs '0011!-'0020! paragraphs '0032!, '0033! paragraph '0042!	1-4, 6, 7
	-/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*G\* document member of the same patent family

Date of the actual completion of the international search

4 February 2004

Date of mailing of the international search report

20/02/2004

Name and mailing address of the ISA

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International Application No

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 958 913 A (WESTER INGMAR ET AL) 28 September 1999 (1999-09-28) example 5 ---	1-4, 6, 7
A	US 6 162 483 A (WESTER INGMAR) 19 December 2000 (2000-12-19) example 6 ---	1-4, 6, 7
A	MILO OHR L.: "Circulating Heart-Smart News" FOOD TECHNOLOGY, 'Online! vol. 56, no. 6, June 2002 (2002-06), pages 109-110, 112, 114-115, XP002234185 ISSN: 0015-6639 Retrieved from the Internet: <URL:http://www.ift.org/publications/docsh op/ft_shop/06-02/06-02-pdfs/06-02-nutraceuti cals.pdf> 'retrieved on 2003-03-06! page 110 -----	1-4, 6, 7

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## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 5  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 5

Present claim 5 relates to a product defined (inter alia) by reference to P1: D3,3owing parameter:

The use of these parameters in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is impossible to compare the parameters the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Since the dependent claim 5 has no further technical features to be searched on, the entire subject-matter of said claim has not been searched.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP03/10420

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 1180545	A	20-02-2002	JP 2001040388 A CA 2375023 A1 EP 1180545 A1 WO 0073407 A1 JP 2002206100 A	13-02-2001 07-12-2000 20-02-2002 07-12-2000 26-07-2002
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